

Attorney Docket
No. 77004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22202

Sir or Madam:

This is an Information Disclosure Statement being submitted in accordance with 37 C.F.R. §1.97 and §1.98 in connection with the above-identified application. Also enclosed herewith is PTO/SB/08A and copies of the references cited thereon.

Applicant bring the following documents to the attention of the Examiner:

U.S. Patent Documents		
Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
US-6,461,658	10/08/2002	Merkel et al.
US-6,387,412	05/14/2002	Moore
US-6,322,774	11/27/2001	Jensen et al.
US-6,312,671	11/06/2001	Jensen et al.
US-6,217,918	04/17/2001	Oh et al.
US-6,203,840	03/20/2001	Meyer et al.
US-6,180,148	01/30/2001	Yajima
US-5,916,620	06/29/1999	Oh
US-4,990,349	02/05/1991	Chawan et al.
US-2002/0120134 A1	08/29/2002	El Kabbani et al.
US-2002/0146485 A1	10/10/2002	Oh et al.

Foreign Documents		
Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document
EP 1 210 880 A1	06/05/2003	Inoue et al.

Non Patent Literature Documents
Mulry, "The Sweet Side of Functionality", <u>Functional Foods and Nutraceuticals</u> , p. 16-17, April 2002. <i>ABSTRACT ONLY</i>

The Commissioner is hereby authorized to charge any fees which may be required in respect to this communication or credit any overpayment to Deposit Account No. 06-1135.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY



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Date: JUN 20 2003

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PTO/SB/08A Substitute for Form PTO-1449				Application Number Filing Date First Named Inventor Art Unit Examiner Name
INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				McPherson et al.
Sheet	1	of	2	Attorney Docket 77004

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ²			
	✓	US-6,461,658	10/08/2002	Merkel et al.	
	✓	US-6,387,412	05/14/2002	Moore	
	✓	US-6,322,774	11/27/2001	Jensen et al.	
	✓	US-6,312,671	11/06/2001	Jensen et al.	
	✓	US-6,217,918	04/17/2001	Oh et al.	
	✓	US-6,203,840	03/20/2001	Meyer et al.	
	✓	US-6,180,148	01/30/2001	Yajima	
		US-5,916,620	06/29/1999	Oh	
		US-4,990,349	02/05/1991	Chawan et al.	
		US-2002/0120134 A1	08/29/2002	El Kabbani et al.	
		US-2002/0146485 A1	10/10/2002	Oh et al.	
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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST 16 if possible. ⁶Applicant is to place a check mark here if English language Translation is attached.

PTO/SB/08B Substitute for Form PTO-1449				Application Number	
				Filing Date	
				First Named Inventor	McPherson et al.
				Art Unit	
				Examiner Name	
Sheet	2	of	2	Attorney Docket	77004

NON PATENT LITERATURE DOCUMENTS

Examiner Signature		Date Considered	
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1 Applicant's unique citation designation number (optional). **2** Applicant is to place a check mark here if English language Translation is attached. **3** and not considered. Include copy of this form via fax communication to applicant.